

EXHIBIT

J

1 UNITED STATES DISTRICT COURT

2 SOUTHERN DISTRICT OF NEW YORK

3 -----X
RINALDO RIZZO,

4 Plaintiff,

5 -against-

6 DF LAND LLC, GLENN DUBIN, Individually, EVA
7 DUBIN, Individually, and BRENDA AMES,
Individually,

8 Defendants.

9 Index No.: 13-CIV-8664

-----X

10
11 1633 Broadway
12 New York, New York

13 July 8, 2015
14 9:39 a.m.

15 DEPOSITION of RINALDO RIZZO, taken
16 pursuant to Notice, before Sadie L. Herbert,
17 a RPR and Notary Public of the State of New
18 York.

19
20
21
22
23 ELLEN GRAUER COURT REPORTING CO. LLC
24 126 East 56th Street, Fifth Floor
25 New York, New York 10022
212-750-6434
REF: 110252

1 RIZZO

2 Did you meet with your lawyer to
3 prepare specifically for this deposition?

4 A A phone conversation.

5 Q Okay. When was the conversation?
6 Again, I don't want to know the contents.

7 A Last night.

8 Q How long was it?

9 A I don't recall.

10 Q Okay. Did you meet with any current or
11 former DF Land employees to prepare for this
12 deposition?

13 A No, I did not.

14 Q Did you review documents to prepare for
15 this deposition?

16 A Yes, I did.

17 Q And what document did you review?

18 A The complaints.

19 Q Just the complaint?

20 A Yes.

21 Q Have you asked any current or former DF
22 Land employees to be a witness on your behalf in
23 this case?

24 A No, I haven't.

25 Q Have you asked any current or former DF

1 RIZZO

2 A I do not recall.

3 Q So it says here, if you look at it,
4 December 2011 to April 2013?

5 A Yes.

6 Q So this is after your termination?

7 A Correct.

8 Q And if you'll look at -- strike that.
9 Did you prepare this document, did you
10 write it?

11 A To the best of my knowledge, yes.

12 Q So let's look at the first section,
13 which is under the heading "Estate Manager for
14 DF Land LLC."

15 A Yes.

16 Q And it says here that you were
17 responsible for financial reporting and
18 oversight of a \$550,000 annual budget; is that
19 accurate?

20 A To the best of my knowledge.

21 Q And it says that you coordinated all
22 aspects of staff and facility management for
23 housing, indoor sports facility and
24 indoor/outdoor horse riding facility; is that
25 accurate?

1 RIZZO

2 A Yes.

3 Q It says managed, "Guest relations and
4 preparations for high profile guests and
5 celebrities." Is that accurate?

6 A Yes.

7 Q And it says, "Communicated weekly with
8 ownership on financial issues and the physical
9 condition and readiness of the property." Is
10 that accurate?

11 A Yes.

12 Q Is there anything in here about
13 cleaning or cooking?

14 A On this piece of paper, no, there is
15 not.

16 Q Was it important to you to tell
17 potential employers and give an accurate
18 description of exactly what you were doing at
19 your previous employment?

20 A Again, yes.

21 (Defendant's Exhibit 31,
22 Application, Bates Stamped Rizzo
23 Confidential 2550 - 2551, was
24 marked for identification.)

25 Q So this is Exhibit 31. My first

1 RIZZO

2 question is: Is this your handwriting on the
3 first page of the exhibit?

4 A Yes, it is. I believe so.

5 Q Okay. And the date on the top here is
6 May 20th, 2013; right?

7 A That's correct.

8 Q So you submitted this application here
9 six weeks after your discharge; right,
10 approximately six weeks?

11 A To the best of my knowledge, yes.

12 Q So turn the page to 2551 under
13 "Relevant Experience." It says here, "As estate
14 manager of 300 acres in North Salem, New York,
15 coordinated all aspects of staff and facility
16 and household management for property." Is that
17 accurate?

18 A Yes.

19 Q You say, "Oversight of main and guest
20 housing, indoor sports center facility, indoor
21 and outdoor horse riding, indoor and outdoor
22 tennis court, swimming pool and private car
23 collection." Is that accurate?

24 A Yes.

25 Q Is there anything inaccurate in your

1 RIZZO

2 description of your experience at DF Land from
3 December of 2011 to April of 2013?

4 A Not to my knowledge, no.

5 Q So go down, if you'll look at the
6 estate manager description from May 2002 to
7 November 2005, it says it was a 70-acre
8 property, and then from 2011 to 2013, it was a
9 300-acre property?

10 A Yes.

11 Q Right?

12 A Yes.

13 Q So did the Dubin's acquire 230 more
14 acres?

15 A Yes, they did. To my knowledge, they
16 did, yes.

17 Q Mm-hmm. And did that create more
18 responsibilities for you as far as managing the
19 property?

20 A Yes, it did.

21 Q Were there more facilities that were on
22 the property in your second period as opposed to
23 your first period?

24 A Yes, there were.

25 Q And what were those facilities?